

CITY OF BELLEVUE  
CITY COUNCIL

Summary Minutes of Extended Study Session

January 26, 2015  
6:00 p.m.

Conference Room 1E-113  
Bellevue, Washington

PRESENT: Mayor Balducci, Deputy Mayor Wallace, and Councilmembers Chelminiak, Lee, Robertson, Robinson, and Stokes

ABSENT: None.

1. Executive Session

The meeting was called to order at 6:10 p.m., with Mayor Balducci presiding. She noted that the Executive Session listed on the agenda was cancelled.

Mayor Balducci suggested delaying Oral Communications for 20 minutes to accommodate anyone who was not expecting that portion of the meeting to start this early. There was a Council consensus to proceed with Item 3(a) and to come back to Item 2.

3. Study Session

(a) Council Business and New Initiatives

Mayor Balducci recalled the Council's interview the previous week of a candidate to provide Ethics Officer services on a contract basis. This action satisfies the requirement of the adopted Ethics Code for identifying an Ethics Officer to provide services when needed. Following the interview, the Council directed staff to conduct reference checks on the individual, which have been completed.

→ Deputy Mayor Wallace moved to direct staff to proceed with the negotiation of a contract with the Ethics Officer candidate interviewed the previous week. Councilmember Stokes seconded the motion.

Councilmember Lee questioned the framework and budget for the delivery of services.

City Clerk Myrna Basich reviewed four major areas of service to be provided by the Ethics Officer that are contemplated in the Ethics Ordinance: 1) provide advisory opinions for the City Council and Council-appointed Boards, Commissions, and Citizen Advisory Committees,

2) respond to official complaints brought by a member of the public or Council, 3) provide regular training on the Ethics Ordinance to the Council and Council-appointed bodies, and 4) conduct a periodic review of the Ethics Code and recommend changes as appropriate.

Mr. Lee said Councilmembers typically go to the City Attorney with questions, and he would like to be able to continue to do so.

Mayor Balducci noted that the Ethics Ordinance adopted in 2013 lists a number of requirements.

Councilmember Robertson said the purpose of adopting the Ethics Ordinance was to have clear rules and standards that are understandable to the Council and the public. She expressed support for the motion, and noted that this action requires a unanimous vote. She suggested that Councilmember Lee meet with the candidate if he has additional questions and/or concerns. *[Mr. Lee was absent from the January 20 meeting and interview of the candidate.]*

Ms. Robertson said she would like the contract to specify that the specific candidate, not the law firm, is the lead to provide these services for the City. She said guidelines will need to be established regarding when and how Councilmembers should contact the Ethics Officer.

→ The motion carried by a vote of 7-0.

Mayor Balducci thanked staff for their work on this issue.

## 2. Oral Communications

- (a) Dr. Rick Kaner, representing the Lake Lanes neighborhood, said he is a member of the Coalition of Eastside Neighborhoods for Sensible Energy (CENSE). He expressed concern that the City's consultant hired to review Puget Sound Energy's (PSE) Energize Eastside project is not going to independently create a load forecast, but will audit PSE's load forecast. He said this is not acceptable and stands in sharp contrast with assurances initially given to the Council that the consultant would not be performing an audit or peer review. He referred the Council to background information on the consultant staff, noting that the firm's load forecasting expert lacks experience or background in economics and land use planning that would give residents confidence in her conclusions. Another individual worked for Columbia Grid and was employed by PSE when the Energize Eastside was originally planned. Dr. Kaner said residents do not believe the engineer can provide an objective, independent analysis. He said City staff indicated to the Council that a full load forecast would cost roughly \$1 million. CENSE questions whether a review at that cost would be necessary and would be satisfied with a report that a firm like ECONorthwest could produce for approximately \$150,000. Dr. Kaner said CENSE requests that the City hire a truly independent consultant for this important work.
- (b) Bill Hirt said he objects to the Sound Transit shoreline permit and disagrees that the light rail project is an essential public facility. He expressed concern about the sound wall to be built along Bellevue Way to protect homes to the west from noise impacts. However,

Sound Transit does not address the noise impacts for the Mercer Slough Nature Park. Mr. Hirt said Sound Transit has spent nearly a billion dollars on a light rail program they have known for years would violate federal environmental law. He asked the City to rescind approval of the shoreline permit application. [Mr. Hirt submitted his comments in writing.]

- (c) Howard Katz, representing the Bellevue Network on Aging and Lake Bellevue Village, expressed concern about the safety of future Sound Transit light rail stations. Residents are concerned that Sound Transit will not follow Bellevue's recommendations because the agency wants facilities to be consistent throughout the entire light rail system. He reiterated his request that Sound Transit utilize lights to alert passengers and the public who have partial or full hearing loss. Mr. Katz said Sound Transit completed a study from the parking lot of Lake Bellevue Village and concluded that five or six of the 72 units will have sound impacts. He said the noise readings should be taken from the center of the lake to take into consideration how noise travels across water. He expressed concern about impacts on wildlife and the extra activity to be generated by trains accessing the planned maintenance facility in the Bel-Red corridor.
- (d) Warren Halverson, a resident of Bridle Trails, concurred with the earlier comments requesting a fair, accurate and thorough assessment of the need for the Energize Eastside project. He then referred to Agenda Item 4(a) and said he attended a public hearing on Puget Sound Energy's 115 kV overhead transmission line from the existing Lake Hills Substation to the Phantom Lake Substation.

Mayor Balducci said the Lake Hills transmission line is a quasi-judicial matter and those decisions are made based on a closed record. She said the time for public comment was during the hearing process before the Hearing Examiner made a decision. Ms. Balducci said any comments at this point will not be included in the record or considered by the Council in making its decision. If Mr. Halverson comments, the Council is required to disclose that during all future discussions.

Mr. Halverson said his comments were more about the Comprehensive Plan. He said the City needs to look to the future and consider the undergrounding of utilities. For current overhead facilities, Mr. Halverson said Bellevue does not need 100-foot poles for a 115 kV line. He said best practices suggest a height of 60-90 feet. He asked the Council to consider neighborhoods and the long-term future in considering electrical infrastructure.

- (e) Steve O'Donnell, president and co-founder of the Coalition of Eastside Neighborhoods for Sensible Energy (CENSE) expressed support for Dr. Kaner's earlier comments. He said he and others spoke with Matt Kitchen from ECONorthwest. Mr. O'Donnell noted it has been said that an independent load forecasting for PSE's Energize Eastside project would cost \$800,000 to \$1 million. ECONorthwest would have been a subcontractor to conduct the load forecast for another firm considered to act as the City's consultant. He said they are more qualified than the firm hired by the City. Mr. O'Donnell said he was told by ECONorthwest that they could complete an independent load forecast for less

than \$150,000. He asked the Council to hire ECONorthwest to provide the analysis. Mr. O'Donnell said he was also speaking on behalf of the Somerset Neighborhood Association. He said residents have attended a number of Planning Commission meetings. He thinks it is important for Bellevue's 2035 Vision that the Comprehensive Plan include utilities elements that adopt the will of Councilmembers. He cautioned against creating two cities with no overhead infrastructure in the west and overhead wires on the eastern side of the community. Mr. O'Donnell expressed concern about the project on 148<sup>th</sup> Avenue involving the 115 kV line.

Mayor Balducci stated for the record that comments regarding the proposed Lake Hills 115 kV line should be avoided.

Mr. O'Donnell said he believes residents would like to see one Bellevue developed over the next 20-30 years. He suggested the region not make the mistake of bringing blight to the Eastside with the Energize Eastside project, which will cost ratepayers \$200-400 million. He said CENSE will officially ask the Washington Utilities and Transportation Commission to disallow all of Puget Sound Energy's marketing expenses and costs associated with its Community Advisory Group (CAG). Mr. O'Donnell said the CAG process was a charade and a farce, and a total waste of money. He said it should have been conducted in the same manner as the City's Downtown Livability Study but with a multi-city citizens advisory commission.

- (f) Joe Rosmann commented on Sound Transit's East Link light rail project. He said he was recently told by the Washington State Recreation and Conservation Office (RCO) that Bellevue citizens would not be allowed to observe an upcoming meeting between City staff, Sound Transit representatives, and the RCO. The purpose of the meeting is to address the City's request for approval to transfer Mercer Slough Nature Park property to Sound Transit along Bellevue Way for East Link construction. The petition proposes to offset this property transfer with other property to be added to the park. Mr. Rosmann said this planned use of the Mercer Slough Nature Park would violate the original purpose for the park when it was created in the 1980s. He asked the Council to advise City management that the public should be allowed to attend the January 29 meeting as required by state law. [Mr. Rosmann submitted his comments in writing.]

Councilmember Lee asked staff to comment on Mr. Rosmann's issue. City Manager Miyake said he would look into the situation.

Deputy Mayor Wallace said this idea of a five-figure load study was news to him. He was told \$1 million. He would like to know if the former cost is realistic and would satisfy residents' request. He would like a credible end product for the community. With regard to Mr. Rosmann's request, Mr. Wallace said he did not understand why the public would be excluded from the RCO meeting, as long as they do not interfere. He would like the public to be permitted. However, if that is not the case, he would like a written report on the reason for denying public attendance.

Mr. Miyake said he would look into the RCO meeting and report to the Council.

Mayor Balducci noted that Matt Kitchen with ECONorthwest previously worked for the Puget Sound Regional Council (PSRC). She believes it would be worthwhile to request a written communication from Mr. Kitchen with his load forecasting cost estimate.

Councilmember Robinson requested a transcript of the phone call between CENSE and the City's consultant, Utility System Efficiencies (USE). Mr. O'Donnell said they recorded the call and will provide a transcript.

Councilmember Robertson said she would like to understand the difference between an audit and a peer review of the load forecast. She wants to be sure that USE is looking at the validity and underlying accuracy of PSE's data, rather than conducting another analysis using PSE's data. She wants to be sure USE is exploring what is behind the data. She recalled that the Council's original intent was not merely a peer review. Ms. Robertson suggested that, if ECONorthwest can provide an independent load forecast for \$150,000, she would like to consider that option. She requested further clarification from staff.

Councilmember Stokes observed that USE's description of the work to be completed is consistent with the Council's intent. However, the City needs to be clear about the purpose of the work. He is not confident that any of the information given to the City to date is necessarily good because there has not been adequate time to study it. Mr. Stokes suggested taking another look at this to clarify the facts and to determine the cost of the work that is needed. He would like to see the work completed soon. His questions include: How much does the work cost? What is it going to do? What is the value of repeating an entire study? Can questions be answered in another way?

Mr. Miyake summarized the Council's interest in taking a look at the cost of a load forecast analysis, understanding the difference between an audit and a peer review, and validating PSE's data. He reminded the Council that the contract with USE was awarded in December, and their work is underway. The estimated date of completion is the end of February or early March.

Mayor Balducci said it is important, as the work goes forward, to answer the questions and achieve the requested clarifications. She said it is important to take the substantive comments to the Council and confirm that the study will do what the Council and community want it to do. She expressed concern that any study will not satisfy everyone. However, she wants to ensure the City is receiving a good value for the cost, and that the study is an honest, objective analysis.

Ms. Balducci said that, when she reads that the audit will check whether the calculations meet industry standards, she is not concerned about whether the consultant knows how many households are in Bellevue. She is concerned that the multiplier as to how much electricity each of those households is expected to consume is a reasonable projection. She would like to know the range of conservative to somewhat more liberal to understand where the community is falling within that range.

Mayor Balducci said the Council needs to allow staff to be engaged in the work of the study. She observed that consultants typically do not provide their report without the hiring agency's staff work to support the effort. She wants to balance the Council's requests with the understanding that staff and the consultant are on a tight timeline. She does not want staff to be distracted from overseeing the study that is underway.

Councilmember Robinson asked if it would be appropriate to request a broader assessment after the City receives the results from the consultant. Mr. Miyake said more work can be requested of the consultant if needed. Ms. Robinson asked whether USE could subcontract with ECONorthwest to conduct the load forecast. Mr. Miyake said he would need to research that issue.

Deputy Mayor Wallace clarified that his request is whether the desired analysis can be provided within \$100,000.

3. Study Session [Continued]

(b) East Link Project Update

City Manager Miyake introduced the Sound Transit East Link light rail project update, which will focus on project mitigation measures. He recalled that the Council has set a number of policy directives including the Light Rail Overlay District Land Use Code Amendment and the collaborative design process with Sound Transit. A number of City Code sections prescribe mitigation requirements as well. Mr. Miyake noted that work on mitigation plans is ongoing and no Council action is requested this evening.

Transportation Director Dave Berg welcomed Ron Lewis and Don Billen from Sound Transit and Nancy LaCombe, the City's program manager for the East Link project.

Mr. Berg said the presentation would focus on mitigation related to the East Link project, and staff will provide additional details as requested to follow up on this discussion. He noted that the next update is scheduled for February 9. He said the animation has been updated to depict the mitigation anticipated for the full light rail alignment through Bellevue. He said this presentation does not address the Operations and Maintenance Satellite Facility (OMSF), which will be the subject of a future update.

Mr. Lewis said Sound Transit is engaged in property acquisition for the entire 14-mile East Link alignment. The Sound Transit Board has authorized the acquisition of 235 property interests, including partial acquisitions, construction staging areas, etc. Of these, 91 offers have been made and 61 have signed agreements. In addition, 219 relocations are required and 68 of those have been completed.

Deputy Mayor Wallace requested a list of the 61 sales that have closed and the selling prices. Mr. Lewis said that information is available.

Responding to Councilmember Lee, Mr. Lewis said some property acquisitions do not require relocation, for example, land without a structure. However, relocation assistance is provided for residences and businesses on properties that are being acquired.

Mr. Lewis highlighted the project schedule, which includes three final design contracts. One package is at 90-percent design, one is at 60-percent design, and the third is at 30-percent design. Mr. Lewis said the project is entering into pre-construction activities including construction contract procurements.

Councilmember Robertson said her understanding is that, at the most recent citizen oversight panel meeting, it was reported that the I-90 bridge portion of the project is behind schedule and budget for the work to date. She questioned the impact, if any, of the delay in the schedule.

Mr. Lewis said the I-90 portion of the project is under a contract that Sound Transit is monitoring and managing separately from the Bellevue contracts. That package has reached approximately 60-percent design. The work is slightly behind schedule and Sound Transit is working with its designer to ensure they remain focused on the scheduled, critical elements. Sound Transit is making sure its own staff is providing the appropriate and timely design direction to enable the consultant to continue moving forward. Mr. Lewis said there are some challenging technical issues as well. Sound Transit has asked the design team to provide a forecast for the completion of that design work.

In further response, Mr. Lewis said Sound Transit does not expect the delay to have any impact on the East Link project as a whole. Time was built into the design schedule to accommodate unanticipated circumstances.

Moving on with the presentation, Mr. Lewis said mitigation is the effort to avoid, minimize or offset known project impacts. The purpose is to create design solutions that mitigate impacts and satisfy code requirements. He acknowledged that the Council and the public have been very consistent throughout the East Link process about the importance of mitigation. Mr. Lewis said Sound Transit's extensive outreach has included a number of open houses, including some at City Hall. Mitigation-related physical elements (e.g., sound walls, landscaping) have been integrated into the design documents. Construction-related mitigation includes traffic management, business outreach, and operational elements.

Mr. Lewis said Sound Transit tries to mitigate project impacts throughout all phases of the project. The construction packaging and the delivery methods used to contract for the work reflect a risk mitigation approach. Sound Transit involves its construction management staff, contractors, and construction management consultants early in the process. Project mitigation addresses natural resources, noise and vibration, parks and open space, traffic air quality, visual impacts, historical and cultural resources, and geology. Mr. Lewis presented a list of 17 state and federal agencies that regulate aspects of the project.

Mr. Lewis said construction mitigation addresses road and traffic disruptions, business and neighborhood impacts and access, and noise and vibration.

The National Environmental Policy Act (NEPA) is the primary tool governing the Federal Transit Administration's many different federal laws, rules and regulations related to environmental review. NEPA establishes a process for coordinating compliance with each law through the preparation of the Environmental Impact Statement (EIS) for all major federal actions significantly affecting the environment. East Link's Final EIS (FEIS) was released in July 2011; the FTA Record of Decision was issued on November 16, 2011; and the Federal Highway Record of Decision was issued November 17, 2011. The East Link EIS/SEPA (State Environmental Policy Act) Addendum was released in March 2013.

Mike Brennan, Director of the Development Services Department (DSD), described the design, mitigation and permitting timing for preliminary design in 2009-2011; 60 percent to 90 percent design from 2012 to 2015; processing of technical permits in 2015-2016; and construction inspection and corrective actions from 2016 to 2023.

The City's regulatory role is the use of permitting to regulate compliance with City Codes during and after construction as follows: Critical Areas Ordinance, Land Use Codes, Noise Code, and Transportation Codes. Sound Transit obtains multiple permits from the City governing Codes applied to shorelines, design and mitigation, clearing and grading, right-of-way (ROW) use, building, mechanical, electrical, fire safety, building demolition, and utility developer extension.

Mr. Brennan said the East Link project is being held to a higher standard of rigor as it goes through the City's permitting process and overview. With the adoption of the MOU currently in place, the Council and Sound Transit Board established a collaborative design process in which staff of both agencies would work together to find ways to avoid impacts and/or provide appropriate mitigation. The Land Use Code was amended in 2013 to provide specific direction to Sound Transit and City staff to ensure that City requirements are met and to put a Citizens Advisory Committee in place to work directly with City staff in reviewing the East Link permits and design.

Mr. Brennan said the key concerns staff has heard are general construction impacts and duration, road closures, construction noise, operational noise, business interruptions, neighborhood cut-through traffic and parking, impacts to the Mercer Slough Park, and project permitting.

Mr. Brennan said the Light Rail Permitting CAC was appointed by the Council in 2013 and is charged with serving as the citywide perspective on context-sensitive design of the East Link project. The CAC has provided advisory documents for all segments and is nearing completion of the final advisory document for south Bellevue. Permit applications have not yet been received for the East Main and Downtown Stations.

Mr. Brennan said there have been concerns about the Mercer Slough shoreline permits, which were approved by the City on November 6, 2014 and the State Department of Ecology (DOE) on December 9, 2014. The decision to approve the permits is currently under appeal with the State Shorelines Hearings Board.

Mr. Brennan recalled that state and federal outdoor recreation grants were originally used to acquire the Mercer Slough property for park use. The State Recreation and Conservation Funding Board and the National Parks Service must approve the conversion of a portion of the property for transit use. The original grants used for acquisition allow the park to convert to another use if all practical alternatives to the conversion have been evaluated and if the substitution of property of equivalent size, value and function is provided.

Mr. Brennan said concerns about operational noise of the light rail system relate to wheel squeal at curves in the track, roadway crossovers, station announcements, safety features (i.e., bells, chimes) and night-time operations. He described proposed mitigation measures including eliminating all traffic crossings in residential areas, extending the placement of noise walls beyond federal requirements in some areas, and applying lessons learned from the Central Link project with regard to wheel squeal and bells, chimes and announcements.

Mr. Brennan highlighted the multiple Codes involved in the processing of technical permits.

Councilmember Robertson questioned when the CAC's work will be completed. Mr. Brennan said the CAC's work does not end with the issuance of the design and mitigation permits, which is anticipated in 6-9 months. The CAC will continue to be involved in discussions about the technical permits as well.

Mr. Berg said construction is the last portion of the schedule. All work this year and into next year is preparing for an effective and successful project during construction. With a project of this magnitude, there will be impacts. However, there is a strong focus on keeping traffic moving, maintaining access to businesses and neighborhoods, and public communication and outreach. Right-of-way Use permits govern haul routes, hours of construction, traffic control, signage and other elements.

Councilmember Robertson said it is important to keep neighborhoods, especially areas around schools, safe from the impacts of cut-through traffic. She suggested it would be helpful to work with Downtown residents on ways to update them on road closures and other construction-related impacts.

Mr. Lewis said Sound Transit is especially sensitive to impacts on schools and students, and is reaching out to schools with increased communication.

Councilmember Lee said he is happy to be discussing construction mitigation. He said the City needs to ensure the priorities are right and that impacts for residents and businesses are known and mitigated. He wants to ensure that Downtown businesses are affected as little as possible. He encouraged involving stakeholders early in the process of designing mitigation.

Mr. Berg said staff will continue to focus on community outreach efforts.

Mayor Balducci said the CAC has been one avenue for involving the public and encouraging input.

Councilmember Stokes said it sounds like construction mitigation planning is well underway. He noted that the City has been effective in managing construction impacts during other transportation projects. He thanked staff for the frequent updates with the Council and for public outreach efforts.

Councilmember Chelminiak said he wants to be sure there is outreach to areas north of the Hospital Station, including the Bel-Red corridor.

Don Billen, Sound Transit's East Link Deputy Project Director, walked the Council through the East Link animation presentation depicting the light rail alignment and its design and mitigation features.

Responding to Deputy Mayor Wallace, Mr. Billen said a curve radius of up to 600 feet has the potential for wheel squeal. Sound Transit will install lubricators on any curve 600 feet or tighter in radius. Mr. Billen said the lubricators have been quite effective. Mr. Wallace asked staff to identify the locations targeted for lubricators as maps are prepared for Bellevue. In further response to Mr. Wallace, Mr. Billen said crossovers will not be placed in embedded track to avoid noise impacts. Mr. Billen said there will be some additional noise, but not at the level that led to complaints on the initial light rail segment.

Responding to Councilmember Lee, Mr. Billen said the trains can travel up to 55 miles per hour. In further response, Mr. Billen said there is a slight increase in noise when the trains stop at stations, but not the level that would be experienced with a truck.

Mayor Balducci suggested that Councilmembers take the noise tour of the Central Link project if they have not already done so. She said it is helpful to have that experience and she would be willing to go again.

Mr. Billen continued with the animation video.

Deputy Mayor Wallace said this will be easier to understand when there is a schedule of actions, for example, when the South Bellevue Park and Ride will close. He questioned whether there is the opportunity to discuss partial closures and/or limited service instead of full closure of the facility.

Mr. Billen said that question has been considered by construction management staff. One of the challenges of the site is that it will need to accommodate both construction of the parking garage/station and a construction staging area for the linear alignment.

Continuing, Mr. Billen commented on the importance of maintaining bus service along Bellevue Way during construction. He described the design of the South Bellevue Park and Ride/Station. The blueberry farm and retail stand will be relocated to the site of the Winters House, along with additional parking. Responding to Mayor Balducci, Mr. Billen said the retail store will need to

close for some period of time. He will provide that information to the Council. Ms. Balducci expressed concern about whether that business will be able to survive construction.

Responding to Deputy Mayor Wallace, Mr. Billen said the varying heights of the sound walls are based on the need to mitigate impacts for properties to the west.

Mr. Billen described the multi-purpose path from I-90 to Main Street. He noted the retained cut alignment along the Winters House which was selected through the EIS process to avoid impacts to the historic structure. Responding to Councilmember Robertson, Mr. Billen said the sound walls are next to the track. He said the walls are generally most effective the closer they can be placed to the noise source.

Mr. Wallace noted a memo that was circulated about a study of water problems. He questioned Sound Transit's work to address soil and water issues for the Mercer Slough. Mr. Billen said the preliminary engineering design consultant identified the need to take measures to ensure that the groundwater will still flow under and beyond the retained cut into the Mercer Slough. Measures recommended by the design team have been implemented into the design.

Continuing, Mr. Billen commented on the importance of maintaining traffic flow on Bellevue Way during construction. The proposed approach is three lanes of traffic with a reversible center lane. Tree preservation and replacement activities will mitigate the removal of 1,200 trees in the South Bellevue area by planting nearly 9,600 replacement trees.

Mr. Billen described the alignment along 112<sup>th</sup> Avenue SE. He said noise walls will reduce traffic, as well as light rail, noise for the Surrey Downs neighborhood. Sound Transit is coordinating with City staff for the segment along Surrey Downs Park. He described the multi-purpose path along 112<sup>th</sup> as it approaches Main Street. Concrete walls are located on the west side of the guideway, generally following the parcel boundaries. There is a new signalized pedestrian crossing at the East Main Station. Mr. Billen said the station design is intended to reflect the mid-century modern history of the neighborhood, and there has been positive feedback from the general public and the Citizens Advisory Committee.

During construction of the south portal of the Downtown Tunnel, there will be a wall surrounding that area. Responding to Councilmember Chelminiak, Mr. Lewis said staff will provide information on the volume of dirt to be removed for the tunnel.

Deputy Mayor Wallace said there have been concerns about impacts experienced during the construction of Central Link. He requested details on the impacts along 110<sup>th</sup> Avenue, NE 6<sup>th</sup> Street, and Main Street, including access to buildings. Responding to Mr. Wallace, Mr. Lewis confirmed that the construction of Bellevue's tunnel is quite different than methods used for Central Link. He said staff can provide more information on pedestrian impacts and emergency response during a future update.

Mayor Balducci observed that the method to be used for Bellevue's Downtown Tunnel will have lesser street-level impacts than what occurred in Downtown Seattle and along Rainier Avenue. This was part of the reason for selecting the sequential excavation mining (SEM) method.

Mr. Billen continued describing the tunnel construction, noting that the top of the south portal will become a landscaped park.

Responding to Councilmember Robinson, Mr. Billen said all light rail stations have bike parking.

Mr. Billen said there has been a great deal of outreach and work to integrate the Downtown Station (i.e., north tunnel portal) with the existing City Hall site and future development on the adjacent former Metro parcel, which is now owned by the City. Mr. Billen said the design accommodates the future extension of NE 6<sup>th</sup> Street across I-405.

Continuing with the video animation, Mr. Billen described the elevated Hospital Station. He noted that all stations are designed for weather (wind and rain) protection. There is approximately 70-percent canopy coverage at the Hospital Station. Mr. Billen said Sound Transit is purchasing additional property at the site to accommodate the future trail along the BNSF rail corridor.

Councilmember Robertson questioned whether there are plans for a pedestrian/bike overcrossing from the Wilburton area to the station on the north side of NE 8<sup>th</sup> Street. Mr. Billen said this is not a part of the Sound Transit project. However, he said King County has coordinated closely with Sound Transit and the City on potentially including that element with future BNSF trail development. Ms. Robertson observed this will be critical for facilitating the use of light rail.

Mayor Balducci expressed support for the overcrossing, regardless of how it is funded.

Deputy Mayor Wallace questioned the anticipated impacts to I-405 related to the light rail crossing. Mr. Billen said Sound Transit has worked closely with the City and the Washington State Department of Transportation (WSDOT) on that project. He said Sound Transit has experience with aerial guideway construction over I-5 and SR 518 from the initial light rail segment. Mr. Billen said the construction will involve some lane closures, generally during the night and/or weekends. Mr. Lewis said staff can provide additional details on I-405 lane and ramp impacts.

Continuing, Mr. Billen described plans for a pedestrian path from the north end of the Hospital Station to 116<sup>th</sup> Avenue NE. Sturtevant Creek will be realigned and improved. There are concrete sidewalls on both sides of the guideway to mitigate noise impacts on Lake Bellevue.

Councilmember Robertson recalled the speaker who suggested noise testing from the center of Lake Bellevue to take the acoustics of sound traveling across water into consideration. She would like to see that analysis if it has not already been conducted.

Mr. Billen said Sound Transit is coordinating light rail construction with the City's road projects in Wilburton and the Bel-Red corridor. The 120<sup>th</sup> Avenue Station in the Bel-Red corridor was added to the alignment in response to the Bel-Red Plan Update. He said a wetland mitigation site will be created on City-owned property at Kelsey Creek. The 130<sup>th</sup> Avenue Station was designed largely through input from the Council, CAC, and general public.

Mr. Billen said construction through the Bel-Red corridor will have traffic and business impacts. Sound Transit has already started its business outreach to engage those stakeholders. He said NE 16<sup>th</sup> Street and 136<sup>th</sup> Avenue will be completely rebuilt. The Goff Creek culvert will be constructed to support the future daylighting of the creek to the north and south of NE 16<sup>th</sup> Street. Sound Transit will follow the City's sidewalk and intersection urban design treatments for the Bel-Red corridor.

Responding to Deputy Mayor Wallace, Mr. Billen described plans for mitigating impacts to NE 20<sup>th</sup> Street while keeping the light rail trains moving. The train will ring its bells as it approaches the intersection.

Mayor Balducci said she finds the visual presentation to be very helpful.

Mr. Berg said information from the evening's update would be posted on the City's web site the following afternoon. The next project update for the Council will be February 9.

Mr. Berg noted ongoing staff work related to amending the City-Sound Transit Memorandum of Understanding (MOU).

Councilmember Chelminiak expressed interest in an update on the license plate study for the South Bellevue Park and Ride, which indicates the originating points of those using the facility. He questioned who is responsible for deciding how that parking will be replaced during construction. Mr. Berg said the City is working with Sound Transit on that issue but has no Code provisions or regulatory authority over that aspect of the project.

In further response, Mr. Billen said WSDOT owns the South Bellevue Park and Ride/Station property but Sound Transit is in the process of purchasing it. King County has an operations lease.

Councilmember Lee said the most important factor is the MOU. He would like more details about the negotiation underway and the expected amendments.

Councilmember Robertson thanked staff for the animation and said it is good to start seeing mitigation elements. She wants to be sure the mitigation will be effective and, if not, there is a mechanism in place to address the issues.

Ms. Robertson would like to see noise mitigation in place at the start of the construction process. She questioned whether Sound Transit plans to proceed in that manner. Mr. Billen said there are some places where, prior to completion, Sound Transit might be able to install noise mitigation.

However, there are few places where it would be possible to install noise mitigation at the beginning of construction. Mr. Billen noted, for example, that acoustic panels on the elevated guideway will be some of the last materials to be installed. Along 112<sup>th</sup> Avenue, homes would need to be demolished before Sound Transit could access the property for installing the sound walls. Utilities will need to be relocated before the sound walls can go up as well. He said these issues can be discussed further; however, he cautioned that there are considerable limitations.

Councilmember Robertson said she understands about the work needed on 112<sup>th</sup> Avenue before installing the noise walls. However, she would like to see that work completed earlier than the major work on the road and rail guideway because it will mitigate the construction impacts.

Ms. Robertson said she appreciates the project web page. She suggested maintaining an updated project schedule and traffic/construction alerts on the site. She observed that Sound Transit should have an ombudsman function once construction begins to serve as a 24-hour point of contact for residents and businesses who have concerns and inquiries.

Ms. Robertson said she looks forward to an update on the MOU negotiations. She said the Council has been waiting for certain information for a long time. She questioned whether City staff is receiving the information it needs from Sound Transit to be able to analyze the project baseline and to have the City's consultant check that information.

Mr. Berg said City staff continues to work with Sound Transit on the risk report, which addresses contingencies. Mr. Lewis said Sound Transit just began working on the project risk assessment. He anticipates completion of the work within the next month. Councilmember Robertson said the Council will want to see and understand the details before reaching a decision. She indicated that the March deadline for amending the MOU is perhaps unrealistic.

Mr. Lewis said the risk assessment underway covers the entire East Link project. However, Sound Transit has completed risk assessments for individual contract packages (i.e., South Bellevue, Downtown to Spring District, etc.). He said this information can be shared with staff now as the overall risk assessment proceeds.

Mr. Lewis said Sound Transit currently has a 24-hour hotline to respond to citizens' calls. Each contract package has a resident engineer on site during all construction activity, and a phone tree system is in place to communicate up-to-date information. He would like to provide more details on these issues at the next opportunity.

Councilmember Stokes thanked staff for the presentation and said he looks forward to amending the MOU. He noted for the public that the City and Sound Transit have had a collaborative effort in place for the past few years under the MOU. He said this has worked well for resolving a number of design elements, and he believes the result will be a good light rail system. Mr. Stokes expressed support for the design of the Downtown Station and the integration with City Hall. He said it has been important to have citizens involved through all of the planning activities.

Deputy Mayor Wallace reiterated his request for a more detailed schedule, including mitigation measures. He recalled that the Council laid a strong foundation with the Land Use Code Amendment (20.25M) that establishes the framework for all of the mitigation. He said it is important to ensure that the Code provisions are followed. He expressed concern about the interpretation of the Noise Code, which was clearly incorporated into the LUCA in two different places. He wants to be sure that this standard is applied correctly and that impacts are mitigated according to the City's Noise Code.

Mr. Wallace observed that this is the first type of project in which there is the ability to utilize smartphones to communicate traffic alerts, business interruptions, and other urgent information. He would like staff to explore cell phone applications and other means of communication with the community.

Mayor Balducci thanked staff for the presentation. She concurred with Councilmember Robertson's concerns about the timing for completing negotiations and amending the MOU by late March. She said the Council will need to have all requested information, including the draft agreements, approximately one month in advance of making a decision.

At approximately 8:58 p.m., Mayor Balducci declared a short break. The meeting resumed at 9:06 p.m.

(c) Update on Puget Sound Emergency Radio Network (PSERN)

City Manager Brad Miyake recalled that the Puget Sound Emergency Radio Network (PSERN) was before the Council in October. He noted that tonight's update would describe the proposed Interlocal Agreement and Memorandum of Agreement, and provide more details on the project and budget.

Joyce Nichols, Director of Intergovernmental Relations, introduced David Mendel from King County, Project Director for PSERN.

Interim Fire Chief Mark Risen said the proposed agreements involve replacing the entire countywide emergency radio system. He said it will take four years to six years to build the infrastructure for the new system, which will improve coverage throughout the county as well as within newer urban buildings.

Chief Risen said the Eastside Public Safety Communications Agency (EPSCA) Governing Board recommend moving forward with the new system if a number of conditions are met. These include an EPSCA representative serving on the PSERN Board, agencies retain ownership of radios, a rate stabilization fund is established, the retention of EPSCA staff within the PSERN structure, the retention of spectrum rights, and the establishment of an Operations Board of end users. All concerns have been addressed in the Interlocal Agreement and Memorandum of Agreement.

Chief Risen requested Council direction to bring the agreements back to the Council for approval in early February.

David Mendel, PSERN Project Director, said vendor negotiations have been completed and a contract has been signed with Motorola as the system vendor. He recalled the previous presentation describing that the system is essentially at the end of its life, and the current vendor is in the process of discontinuing all sales of spare parts and all repairs of used parts by January 1, 2019. The new system will provide better coverage as well. Mr. Mendel said representatives from EPSCA and other regional partners have participated in all key project decisions regarding system requirements, governance, ownership, operations, technology, types of funding, rate stabilization, reimbursements, and nonprofit startup funding.

Mr. Mendel provided a comparison of the specifications of the current system and the PSERN system. The coverage area, number of towers/radio sites, and radio channels are all expanded with the new system.

Mr. Mendel presented a table of the project costs with a total budget of \$246 million. Project costs plus financing costs equal \$273 million.

Responding to Councilmember Robinson, Chief Risen said the system change will not necessarily decrease response times. He said that most in-station alerting is done through a computer system that is not affected by the radio system project.

Responding to Councilmember Lee, Mr. Mendel said virtually all first, second and third responders are on the radio network, including every city in King County. All law enforcement, with the exception of Normandy Park, are currently on the network. Normandy Park had coverage concerns with the current system. Users also include general government agencies (e.g., roads departments, utilities, hospitals, school districts). In further response, Mr. Mendel said 911 calls go to NORCOM. Those operators record the information and pass it on to the dispatch console, which has access to the radio system.

Councilmember Lee expressed concern that radio technology will become obsolete within the life of the proposed system. He questioned whether the region is developing an improved technology of an old technology. He questioned what the project team looked at, and he would like a better understanding of the technologies that were studied. He expressed concern regarding the expense of the system.

Mayor Balducci noted the need to move to the next agenda item, given the time. She asked staff to get back to the Council with answers to questions that have been raised.

Responding to Councilmember Robertson, Chief Risen said all the dispatch centers (i.e., NORCOM for Bellevue) and the King County Advanced Life Support (ALS) system bill cities for service they provide. The King County levy for ALS then reimburses Bellevue for ALS dispatching costs and radio costs.

Councilmember Robertson said the Council will be eager to find out when technology will be improved for 911 calls through NORCOM as well. She is comfortable moving forward with the proposed agreements.

Deputy Mayor Wallace said he would like to understand what is being asked of taxpayers. What are the implications of endorsing the agreements? Mr. Mendel said the system will be funded through a property tax of seven cents per \$1,000 of assessed valuation. Ms. Nichols said the levy period is nine years, and the original levy in the early 1990s was 16 cents per \$1,000 AV over a three-year period.

Councilmember Chelminiak said the fourth largest revenue source in the project budget is sales tax of \$14 million. He observed that the property tax falls more heavily on urbanized areas, while a lot of the benefit goes to rural areas, in part because those areas would never be able to afford a radio system on their own. He is not complaining about that and understands it is necessary. However, if the purchase of equipment occurs in one city, he believes there should be a way of spreading that local portion around to those who are spending the largest amount of money. Deputy Mayor Wallace and Councilmember Robertson concurred. Mr. Chelminiak said he would like to think more about that, but that question occurred to him as he was reviewing the meeting materials.

Councilmember Lee questioned whether any other vendor competes with the Motorola system.

Mayor Balducci noted that approving the Interlocal Agreement and MOA does not imply approval of the ballot measure. The agreements continue the City's relationship and participation in the radio system.

- (d) Update on City's Environmental Stewardship Initiative including King County Cities Climate Collaboration (K4C)

Mr. Miyake introduced staff's update on the Environmental Stewardship Initiative and 2015 Work Plan.

Paul Andersson, ESI Program Coordinator, provided an update on a number of projects including Solarize Bellevue, the Georgetown University Energy Prize, Bellevue Urban Smart, and the King County Cities Climate Collaboration (K4C).

Mr. Andersson said Bellevue is one of 50 cities competing nationwide for the Georgetown University Energy Prize, which is \$5 million to the small or medium-size city that can reduce the most residential and municipal energy in two years. Staff is working with the community, the Bellevue School District, and students to develop a plan and strategies. Mr. Andersson described the creation of the Eastside Energy Corps to work on this project as well.

Responding to Councilmember Lee, Mr. Andersson said San Juan County, the Cities of Walla Walla, Bellingham, and Anacortes, and Bellevue are communicating with each other about the

project but all are working independently on their own plans. The jurisdictions have issued a joint press release.

Mr. Lee expressed support for this effort. As the project develops, he would like to know the objectives, expected outcomes, and costs of Bellevue's plan. Mr. Andersson said a key strategy of the plan is maximum participation in reducing energy usage, including things as simple as residential use of LED light bulbs and energy efficient appliances.

Mr. Andersson provided additional details on the Solarize Bellevue program. He said the Bellevue Urban Smart program is under development to create a high energy efficiency commercial district in Downtown Bellevue. The City is working with Puget Sound Energy and businesses to save 15 million kilowatt hours.

Mr. Andersson said these programs are highlighted in the letter of commitment and principles for collaboration under the K4C effort. The letter provides direction, clarity and transparency to K4C work plan items going forward. Signing the letter signifies overall support for the principles, but does not mandate the City to take any policy or programming actions. Mr. Andersson said nine of 11 cities have signed the letter of commitment, and Normandy Park is expected to join the collaborative forum. He highlighted certain goals from the K4C work plan.

Responding to Deputy Mayor Wallace, Mr. Andersson confirmed that the targets are somewhat aggressive. He said the K4C collaboration will address ways to achieve the targets including investments and behavioral changes.

Deputy Mayor Wallace observed it would be helpful to understand how to change citizens' behaviors. Mr. Andersson said it can also be looked at from an energy supply standpoint. He noted that half of the emissions in Bellevue are from energy sources (i.e., coal-fired power and natural gas). Coal is scheduled to be transitioned out by 2025 to 2035 according to PSE. Mr. Wallace expressed concern about the goal to reduce the energy target by 80 percent by a certain year. He said it would be good to have a better understanding of how that will occur.

Councilmember Robinson noted that PSE provides the opportunity to call and talk to energy advisors about ways to reduce power usage. She said she reduced her energy bill by one-quarter after implementing the recommended measures.

Mr. Andersson said the 20 percent reduction in the City's greenhouse gas emissions has largely been achieved through behavioral and operational changes established by the City's Resource Conservation Manager.

Mr. Andersson provided additional comments on the K4C work plan. One category for program policy commitments is to advocate for comprehensive federal, regional and state science-based limits and a market-based price on carbon pollution and other greenhouse gas emissions. The City has taken no actions to support this type of policy.

Councilmember Lee suggested that the City not take any action on that item. Mr. Andersson said the City does not need to subscribe to every policy of the K4C collaboration.

Councilmember Robertson concurred with Mr. Lee that the City has not taken a position on a cap on carbon pollution. However, the letter states that the parties of K4C will advocate for cap and trade legislation. Based on Mr. Andersson's comments tonight, Councilmember Robertson said her understanding is that signing the letter does not commit Bellevue to advocating for that legislation, without a Council discussion and decision to adopt that policy. Mr. Andersson confirmed that understanding.

Councilmember Lee reiterated that he does not want the Council to be seen as advocating for a position that it has not discussed or formally endorsed.

→ Councilmember Robertson moved to extend the meeting to 10:15 p.m., and Deputy Mayor Wallace seconded the motion.

→ The motion carried by a vote of

Mr. Andersson provided additional details on the K4C commitments and work plan.

Councilmember Stokes said he understands the concerns that have been raised. He reiterated that entering into the collaboration does not commit the City to specific policies or actions. He expressed support for participating in this effort and not losing out on the opportunity to be part of the regional discussion and planning.

Deputy Mayor Wallace said he sees a huge gap in the K4C written information and the presentation. He is concerned about statements that cities will advocate for certain policies, when those policies have not been adopted by the Council. He observed that the Governor's consultant has stated that low-carbon fuel standards would add up to \$2 per gallon for the price of gas. Mr. Wallace said the Council has not endorsed cap and trade, and most countries around the world are not moving in that direction.

Deputy Mayor Wallace said the proposed commitments present serious implications for business competitiveness, the cost of living, affordable housing, and other issues. He does not support signing the letter. Mr. Wallace said the critical issues are what is achievable and whether there are incentives to reach stated goals. He believes the opposite is true. He noted the unintended consequences and problematic interpretations that surfaced during the Shoreline Management Program Update. Mr. Wallace said his company provides sustainable development and works to reduce energy use. However, he believes the implications of the K4C concepts go far beyond what anyone can anticipate at this point given the complexity of the issues.

Mr. Andersson agreed that these are deep topics requiring further discussion and analysis.

Mayor Balducci summarized that she has heard both support for and concerns about signing the K4C letter of commitment.

Councilmember Robertson noted that the management brief in the meeting packet states the City's support for a shared vision and commits the City to actively pursuing the strategies where it can make the most impact. However, it states that the City is not mandated to take any actions or formal policy decisions.

Ms. Robertson said the memo also states that a decision against signing the letter at this time would have no impact on Bellevue's ability to continue as a K4C member. Ms. Robertson suggested continued discussion of this topic during a future meeting. She said she does not necessarily agree with the statement that climate change is "the paramount challenge of our generation." She noted other significant problems including global terrorism, worldwide poverty and disease, and inequality.

Councilmember Robertson thanked Councilmember Robinson for her work with K4C on behalf of Bellevue. Ms. Robertson said she is proud of all the work and accomplishments the City already has in place.

Mayor Balducci said while it is not perfect, she would like to sign the letter. Part of the rationale is that it would ensure Bellevue's participation in discussions at this early stage. She believes it is largely consistent with the City's existing principles and actions. She concurred that this is a complex topic and discussion should be continued at a future meeting.

Councilmember Robinson said Bellevue is a regional leader in reducing greenhouse gas emissions. She observed that the discussion highlights the importance of bringing draft documents to the Council earlier in the process to be able to craft language the Council can support.

Councilmember Robertson suggested the Council consider making some revisions to the document or providing a separate statement that could be supported by all Councilmembers.

Councilmember Chelminiak said Bellevue has been a leader in environmental stewardship for some years, and he is proud of the role of the Council in the City's achievements and regional efforts. Mr. Chelminiak said he is concerned about the statement that readers would interpret as referring to cap and trade. However, the City is already supporting a carbon-based tax increase (i.e., gas tax) with the state legislature this year. He noted widespread community concerns about PSE's Energize Eastside project and suggested that continued significant energy reduction is potentially a way to avoid the expansion of electrical infrastructure. He would like to move this issue forward as soon as possible.

→ Councilmember Robertson moved to extend the meeting to 10:20 p.m., and Councilmember Stokes seconded the motion.

→ The motion carried by a vote of 7-0.

#### 4. Discussion

- (a) The application of Puget Sound Energy (PSE) to construct a new 115 kV overhead transmission line connecting the existing Lake Hills Substation with the Phantom Lake Substation

Mr. Miyake introduced staff to provide a preview of this quasi-judicial matter scheduled for Council consideration during the February 2 meeting.

Carol Helland, Land Use Director, introduced Sally Nichols, the Senior Planner who has been working on the 115 kV overhead transmission line project connecting the existing Lake Hills Substation with the Phantom Lake Substation. Ms. Helland said the line is 2.89 miles along NE 8<sup>th</sup> Street, 148<sup>th</sup> Avenue, and SE 16<sup>th</sup> Street. The Council will be asked to take action on the final approval of the Conditional Use Permit (CUP) and the Shoreline CUP, both of which are Process III decisions.

The transmission line is located within the East Bellevue Community Council boundary. No appeals have been filed. Upon City Council adoption of an ordinance, the EBCC will take action to approve or disapprove the application. Ms. Helland said the purpose of the proposal is to connect two dead-end substations, and this connection was contemplated in the City's Comprehensive Plan.

Ms. Helland highlighted the siting analysis required by Code. PSE studied a number of alternative routes and completed the siting analysis. The selected route has the fewest number of residential dwelling units and the least park impacts.

Mayor Balducci requested delaying the quasi-judicial hearing on this item by two weeks to allow more time for Council study and consideration. The Hearing Examiner's report is 333 pages and the record is voluminous.

Responding to Councilmember Robinson, Ms. Helland said the poles are 80 feet high. The typical height is 40 feet to 60 feet. Mayor Balducci noted that the shorter poles tend to be distribution lines, and the taller poles are transmission lines.

Mayor Balducci thanked staff for the presentation and reminded the Council and the public that this is a closed record matter.

At 10:20 p.m., Mayor Balducci declared the meeting adjourned.

Myrna L. Basich, MMC  
City Clerk

/kaw